(COPY.)

PRESENTMENT.

CANADA,
COUNTY OF PERTH,
TO WIT:

Court House, Stratford, C. W.
Grand Jury Room, 12th Sept., 1866.

The Grand Jury of our Sovereign Lady the Queen for the County of Perth, for the General Quarter Sessions, held on the eleventh day of September, 1866, on their oath present as follows:—

We have examined the cases laid before us by the County Crown Attorney, and have the honour to present from the information laid before us by that gentleman, that the services of a detective for this County are imperatively required, for the detection and punishment of criminals.

In compliance with the charge from the Bench, the Grand Jury have made a careful investigation of the County Buildings They have the honour to present as follows:—On the west wing of the Court House, occupied by the Sheriff, Deputy Clerk of the Crown, C. C. Court, Clerk Surrogate Court, County Treasurer, Clerk of the Peace, and the Clerk of the County Council, your Grand Jury found insufficient accommodation for these offices, and recent events have shown that the books and papers of the county and individuals, kept of record in those offices, are in the most unsafe state, when it is remembered that in those offices are kept all the valuable documents belonging to the county; wills deposited by private individuals; all the monetary transactions connected with the office of the Sheriff; the records of the civil and criminal courts, as well as the proceedings of the county councils since the formation of the county. It is a matter of astonishment to the Grand Jury that such a state of things should be allowed to exist for such a lengthened period.

The Grand Jury have had before them the County Treasurer, Deputy Clerk of the Crown, and the Clerk of the County Council. All these officers complain, with the exception of the Clerk of the County Council, of the insufficiency and insecure state of their offices. With reference to the County Treasurer, so wretched is the accommodation, that he feels compelled to remove to another building; and under the circumstances your Grand Jury believe he is only doing his duty to the public and the County.

In the east wing of the building are supposed to be the requisite offices immediately connected with the administration of civil and criminal justice, but like those in the west wing, they are equally insufficient for the purposes for which they were intended. The only room that can now be occupied by Petit Jurors is an apartment so small, that it is with difficulty twelve men can find standing room in it. There are no chairs; in fact, no proper furniture for the room. This insufficient accommodation for jurors must result in very evil consequences in the administration of justice. It cannot be expected that jurors will remain for hours, perhaps for a day and night, without even the necessary accommodation for the decencies of life. Generally two and sometimes three rooms are required for Petit Jurors. There is now but one. Your Grand Jury agree with the Bench that rooms should be provided for constables and those compelled to attend at court. They would also direct attention to the very serious fact, that the Crown Attorney has no place for the safe keeping of the numerous papers placed in his custody the present incumbent of that office being compelled to refuse a large accumulation of criminal papers now in the hands of His Honor the County Judge. There is no room for the Judges of Assize or the Judges of the Court of Chancery when on circuit. The only room that can be used for that purpose is a small and very inadequate apartment, set apart for the County Judge. Your Grand Jury find that there is no proper accommodation for witnesses, and the result is delay and expense to individuals and the county. Your Grand Jury present that the water closets in connection with the Court House are in a disgraceful condition, and would direct thereto the attention of the Board of Health.

In reference to the County Jail, your Grand Jury have to thank the Bench for its able and elaborate charge on the past and present history of that institution. The Grand Jury but express the opinion of the public and the long settled conviction of the Executive Government, in presenting the Jail of the County of Perth as perhaps the most unfit building in Upper Canada intended for jail purposes. It is void of the two essential requisites for such a building --the safe custody of prisoners, and a due regard for their health and that of the public. Since the month of June last, a violent type of typhoid fever has been raging within its walls, from whence this terrible disease has spread as from a pest-house into the town and into the neighboring townships. A number of deaths have already occurred, and there is every reason to believe that unless prompt measures are at once taken, more lives will be sacrificed to the criminal apathy of the County Council in this matter.

Your Grand Jury, have perused the evidence of the different Government Inspectors since the year 1863, and find in that year the County Council were notified that unless measures were adopted by them for the construction of a new jail, the Government would be compelled to take action, and force the County Council to do its duty in the premises. In the summer of 1864, the jail was formally condemned by the Board of Inspectors, and a pledge appears to have been given by the County Council that a new jail would be at once erected. How many lives might have been saved, how much anxiety to the community might have been avoided, had that pledge been fulfilled? The jail was again inspected in December 1864, and was again condemned for its faulty and dangerous condition. From that time to the present, the Government Inspectors and Grand Juries have endeavored to awaken the County Council to a sense of their duty. So far, that body has failed to do anything in the matter. Acting on the opinion of the Jail Surgeon that an examination of the jail in its present infected state would be dangerous, your Grand Jury refrained from a personal inspection; but they have had before them the books of the Jailor, and have also examined that officer as to the condition of the premises. His evidence agrees with presentments of former Grand Juries, and the reports of the Government Inspectors.

Your Grand Jury cannot conclude this portion of their presentment without remarking on the arduous duties that have devolved on the keeper of the jail for the last six months, during which period he has done all in his power to keep the premises in a sanitary state, and alleviate the sufferings of its inmates. He has himself been three times stricken with the fever, and all the members of his family have been attacked by it at various times. From his evidence, it appears that owing to the unsafe condition of the cells, he is compelled to shackle untried prisoners—persons who in the eyes of the law are innocent of any crime.

Your Grand Jury have perused with pleasure, the correspondence submitted to them, in reference to the Law Library of the County of Elgin, and the proposal to establish a somewhat similar one for this county. It would appear from that correspondence that a very small annual contribution would secure for the magistrates and county officials the most necessary books and reports required in the administration of justice, and they would respectfully recommend the subject to the consideration of the County Council.

(Signed), J. S. GARNER, Foreman.

A true copy.

JOHN J. E. LINTON,
Clk. Peace, Co. Perth.

At the Court of General Quarter Sessions of the Peace for the County of Perth, held at Stratford in the month of September, 1866,--His Worship D. H. Lizars, Esquire, Chairman, and others, presiding:

The following orders were made (September 12th):

"The Grand Jury came into Court and made a *Presentment*, which was read in open Court, and copies of the same ordered to be sent by the Clerk of the Peace to the Provincial Secretary, the Sheriff of this County, and to the Warden of this County."

"The Magistrates *order* that a copy of the Presentment of the Grand Jury at this sitting of the Court of Quarter Sessions be printed, and a copy thereof sent to each Municipal Councillor and the Clerk of each Council in the County, in addition to the copies required to be sent to the Provincial Secretary, &c."

Truly extracted, by

JOHN J. E. LINTON,
Clk. Peace, Co. Perth.